

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

JUNE L. HOFMANN,

Plaintiff,

Civil Action No.
09-0759

v.

MICHAEL J. ASTRUE,
COMMISSIONER
OF SOCIAL SECURITY,

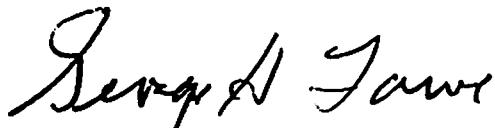
**CONSENT ORDER TO
REMAND PURSUANT TO
SENTENCE 4 OF
42 U.S.C. § 405(g)**

Defendant.

This matter having been opened to the Court by ANDREW T. BAXTER, United States Attorney for the Northern District of New York, and Sixtina Fernandez, Special Assistant United States Attorney, attorneys for Defendant, for an Order remanding the within cause of action to the Defendant pursuant to sentence 4 of 42 U.S.C. § 405(g) so that further administrative action may be taken; and Plaintiff, through the undersigned attorney, having consented to the within order and the requested remand, and the Court having considered the matter,

IT IS on this 15th day of December, 2009;

ORDERED that the final decision of the Commissioner be and hereby is REVERSED, and the matter is REMANDED to the Defendant for further administrative action, and it is further ORDERED that the within matter, be and hereby is, DISMISSED in accord with the decision in Melkonyan v. Sullivan, 501 U.S. 89 (1991).



George H. Lowe, Magistrate Judge
United States District Court

The undersigned hereby consent to the form and entry of the within order.

ANDREW T. BAXTER
United States Attorney

By: *s/Sixtina Fernandez*
Sixtina Fernandez
Special Assistant U.S. Attorney
Bar No. 513910

Office of Peter W. Antonowicz, Esq.

By: *s/Peter W. Antonowicz by S.F.*
Peter W. Antonowicz, Esq.
Attorney for Plaintiff